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laye a velo OMB control ruses Jades the Propervioris Reduction Act of 1985, as porsons are required to inspend to it coll TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) 7610-0001.25 REJECTION OVER A PRIOR PATENT In re Application of: Richard N. ELLSON et al. Application No.: 09//964,215 Filed: September 25, 2001 For: METHOD FOR GENERATING MOLECULAR ARRAYS ON POROUS SURFACES (as amended) The owner, Picoliter Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,548,308. The owner hereby agrees that any patent so granted on the histant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the Instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutority disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby decises that all statements made herein of my own knowledge are true and that all statements made on information and boliof are bolioved to be true; and further that these statements were made with the knowledge that wilful felse statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jcopardize the validity of the application or any patent issued thereon. 2. 🔯 The undersigned is an attorney or agent of record. Dianne F. Reed, Reg. No. 31,292 Typed or printed name 650-330-0900 Telephone Number Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 18-0580. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

"Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A PRIOR PATENT**

Docket Number (Optional) 7610-0001.25

in re Application of: Richard N. ELLSON et al.

Application No.: 09//964,215 Filed; September 25, 2001

For: METHOD FOR GENERATING MOLECULAR ARRAYS ON POROUS SURFACES (as amended)

The owner, Picoliter Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,612,686. The owner hereby agrees that any patent so granted on the Instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

in making the above discialmer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination cortificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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beraby declare that all statements made herein of my own inamiedge are true and that all statements on information and boliof are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record.

Dianne E. Reed, Reo. No. 31,292 Typed or printed name

650-330-0900 Telephone Number

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This cubodian of information is required by 37 CPR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 38 U.S.C. 122 and 37 CPR 1.14. This collection is estimated to take 12 minutes to connecte, including gestiering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual care, any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ark Orline; U.S. DEPARTMENT OF COMMERCE U.S. Patent and Tradumach Orice; U.S. Delaws and Tradumach Orice;

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Dockel Number (Optional) 7610-0001.25

in re Application of: Richard N. ELLSON et al.

Application No.: 09//964,215 Filed: September 25, 2001

FOR: METHOD FOR GENERATING MOLECULAR ARRAYS ON POROUS SURFACES (26 amended)

The owner, Picoliter Inc., of 100 percent interest in the instant application hereby disciplins, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Number 09/964,212, filed on September 25, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantoe, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the Instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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 etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so mado are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. 
The undersigned is an altomey or agent of record.

naun Elle

Dianne E. Reed, Reg. No. 31,292 Typed or printed name

650-330-0900 Telephone Number

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional) 7610-0001.25

in re Application of: Richard N. ELLSON et al.

Application No.: 09//964,215 Filed: September 25, 2001

For: METHOD FOR GENERATING MOLECULAR ARRAYS ON POROUS SURFACES (as amended)

The owner, Picoliter Inc., of 100 percent Interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Number 09/963,173, filed on Septembor 25, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency,

etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and bollof are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. M The undersigned is an attorney or agont of rocord.

Dianne E. Reed, Reg. No. 31,292 Typed or printed name

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## Under the Papermont Rusticetion Act of 1905, no parents are received to proposed to a entlogical of schemitton unless it displays a void OMD control number TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Oocket Number (Optional) 7610-0001.25 REJECTION OVER A PENDING SECOND APPLICATION In re Application of: Richard N. ELLSON et al. Application No.; 09//964,215 Filed: September 25, 2001 For: METHOD FOR GENERATING MOLECULAR ARRAYS ON POROUS SURFACES (as amended) The owner, Picoliter Inc., of 100 percent interest in the instent application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application Number 09/962,731, filed on September 24, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, like successors or assigns In making the above discipliner, the owner does not disciplin the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any palent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. Dianne E. Reed, Rog. No. 31,292 Typed or printed name 650-330-0900 Telephone Number Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 18-0580. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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